

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CR. NO. 3:07-cr-150-MHT
	)	
BENJAMIN SHANE FOSTER	)	

PETITION FOR ORDER DIRECTING THE UNITED STATES  
MARSHAL TO RELEASE CUSTODY OF PRISONER

Comes now the United States of America, by and through Leura G. Canary, United States Attorney and the undersigned Assistant United States Attorney, both for the Middle District of Alabama, and moves this Honorable Court for an order directing the United States Marshal, Middle District of Alabama, to release from their custody Benjamin Shane Foster, into the custody of Tim Fitzpatrick, ATF, and/or Jennifer Rudden, ATF, and/or Will Panoke, ATF, and/or Les Brown, U.S. Attorney's Office, from August 12, 2008, through November 12, 2008, so that said agents can take such prisoner into custody without the necessity of the presence of a Deputy United States Marshal. We further move the Court to enter an order directing Tim Fitzpatrick, ATF, and/or Jennifer Rudden, ATF, and/or Will Panoke, ATF, and/or Les Brown, U.S. Attorney's Office, to return said prisoner into the custody of the United States Marshals Service when they have finished with him.

Respectfully submitted this the 11th of August, 2008.

LEURA G. CANARY  
UNITED STATES ATTORNEY

/s/ Matthew W. Shepherd  
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CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys on record.

LEURA G. CANARY  
UNITED STATES ATTORNEY

/s/ Matthew W. Shepherd  
MATTHEW W. SHEPHERD  
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ORDER

Upon consideration of the government's motion for release of prisoner filed on August 11, 2008, and for good cause, it is ORDERED that the motion be and hereby is GRANTED.

It is hereby ORDERED that the United States Marshals Service release custody of Benjamin Shane Foster, to Tim Fitzpatrick, ATF, and/or Jennifer Rudden, ATF, and/or Will Panoke, ATF, and/or Les Brown, U.S. Attorney's Office, on August 12, 2008, through November 12, 2008, so that said agents can take such prisoner into custody without the necessity of the presence of a Deputy United States Marshal.

It is further ORDERED that Tim Fitzpatrick, ATF, and/or Jennifer Rudden, ATF, and/or Will Panoke, ATF, and/or Les Brown, U.S. Attorney's Office, return said prisoner into the custody of the United States Marshals Service when they have finished with him.

DONE this the \_\_\_\_\_ day of August, 2008.

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CHARLES S. COODY  
UNITED STATES MAGISTRATE JUDGE